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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,319	02/23/2005	Yoshitaka Asano	1217-050589	5350

7590 12/30/2005
Kent E Baldauf Sr
436 Seventh Avenue
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EXAMINER

HA, NGUYEN T

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/525,319

Applicant(s)

ASANO ET AL.

Examiner

Nguyen T. Ha

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1105.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because on page 45, lines 2, 5 the term "comprises and comprising" are legal phraseology.

2. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto et al. (US 4,725,927).

Regarding claim 1, Morimoto et al. disclose a functional sheet having a reinforcing material (figure 1) comprising a sheet like (1) functional material comprised

of a functional material powder and a binder resin, and bonded thereto (column 3, lines 15-23), a reinforcing sheet (3) laminated on the sheet like functional material, wherein the reinforcing sheet comprises a woven or non-woven fabric cloth, having a basis weight of from 10 to 400 g/cm², the fiber diameter of a fiber constituting the reinforcing sheet is from 10 to 150 μm (column 3, lines 42-49).

Regarding claims 2 and 10-12, Morimoto et al. disclose the binder resin is an unsintered polytetrafluoroethylene resin and contained in an amount of from 50 to 1 % by weight based on the total amount of the sheet-like functional material (column 5, lines 25-27, figure 1).

Regarding claim 3, Morimoto et al. disclose the material powder comprises an activated carbon (column 3, lines 15-18).

Regarding claim 4, Morimoto et al. disclose the functional sheet is an embossed reinforcing material having function sheet (figure 1).

Regarding claims 5, 9 and 16-18, Morimoto et al. disclose an electrode for electric double layer capacitor (figure 1) comprising a sheet-like electrode material comprising a carbon fine powder and a fluorine containing polymer resin and, laminated thereon (column 3, lines 15-23), a reinforcing sheet (column 3, lines 42-49), which are bonded (figure 1).

Regarding claim 6, Morimoto et al. disclose the reinforcing sheet comprises any one of a cloth, a mesh, a non-woven fabric cloth and an expand sheet, and has a thickness of from 0.01 to 1.0 mm (column 3, lines 42-43, which is within the claimed range).

Regarding claims 7 & 13, Morimoto et al. disclose the carbon fine powder comprises activate carbon and/or conductive carbon, and the pluoropolymer resin is polytetrafluoroethylene (column 3, lines 15-23).

Regarding claims 8, 14 and 15, Morimoto et al. disclose the fluorine resin is contained in an amount of not more than 15 % by weight in the electrode material (column 5, lines 25-27).

Citation Relevant of Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Nishino et al. (US 4,737,889) disclose polarizable electrode body and method for its making.

b. Muranaka et al. (US 4,488,203) disclose an electrochemical double layer capacitor and film enclosure.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Ha whose telephone number is 571-272-1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Nguyen T. Ha', with a stylized, cursive script.

Nguyen T. Ha
December 23, 2005